

PATENT
DIVISION

2006 MAY -8 PM 4:32

PATENT
Attorney Docket No. A-72343
Dorsey File No. 470425-00018

U.S. PATENT & TRADEMARK
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HENSON et al.

Serial No.: 10/602,546

Filing Date: June 23, 2003

For: *Use of Endophytic Fungi to Treat Plants*

Examiner: Irene Marx

Art Unit: 1651

Certificate of mailing:

I hereby certify that foregoing Request for Refund has been filed with the Director of the United States Patent and Trademark Office, Mail Stop 16, P.O. Box 1450, Alexandria, VA 22313-1450, via First Class U.S. Mail, postage prepaid on this

2nd day of May, 2006.

Victoria Linne Poulsen
Victoria Linne Poulsen

REQUEST FOR REFUND PURSUANT TO 37 C.F.R. §1.26

Mail Stop 16
Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant inadvertently submitted a Response to Restriction Requirement with a Petition for Two Month Extension of Time with fees of \$225.00, check No. 303960, to the wrong Application (see Serial No. 10/602,543) on March 7, 2006. A copy of that submission is enclosed. Applicants later discovered this error and resubmitted their Response to Restriction with a Petition for Three Month Extension of Time and requisite fees of \$510.00, check no. 303972 (having gone into the third extension period) on March 13, 2006 in the above-captioned pending Application.

Applicant's check no. 303960 in the amount of \$2250.00 has cleared payment as of March 15, 2006.

Applicant's check no. 303972 in the amount of \$510.00 has cleared payment as of March 22, 2006.

Therefore, Applicant respectfully requests the refund of the amount of \$225.00, Check No. 303960, which represents the fees that were erroneously applied to the incorrect application number of

Serial No.: 10/602,546
Filing Date: June 23, 2003

10/602,543 on March 7, 2006, to be credited to the undersigned's Deposit Account No. 50-2319 (Our Order No.: 470425-18; Our Docket No.: A-72343).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

While no fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any required fees, or credit any overpayment to Dorsey & Whitney LLP Deposit Account No. 50-2319 (Our File No. 470425-18 Our Docket No.: A-72343).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: May 2, 2006
Dorsey & Whitney LLP
Intellectual Property Department
555 California Street, Suite 1000
San Francisco, CA 94104-1513
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

BY:


Sean D. Solberg, Reg. No. 48,653

for Robin M. Silva, Reg. No. 38,304

Customer Number: 32940

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03-08-06

18W
PATENT

Attorney Docket No. A-72343
Dorsey File No. 470425-00018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HENSON et al.

Serial No.: 10/602,543

Filing Date: June 23, 2003

For: Use of Endophytic Fungi to Treat Plants

Examiner: Irene Marx

Art Unit: 1651

US Express Mail No. EV-695993711 US

Mailed: March 7, 2006

PETITION FOR TWO MONTH EXTENSION OF TIME

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is hereby requested that the time to submit a Response to the Notice of Restriction Mailed December 7, 2005 be extended by two months to March 7, 2006. The fee of \$225.00 as required by 37 C.F.R. 1.17(a)(2) is enclosed.

Although the Applicants do not believe any additional fees are required, the Commissioner is authorized to charge any additional fees, including extension fees or other relief, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 470425-00018 ; Docket No. A-72343/RMS/SDS).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

03/09/2006 BABRAHA1 00000085 10602543

01 FC:2252 225.00 OP

Dated March 7, 2006
Dorsey & Whitney LLP
Intellectual Property Department
555 California Street, Suite 1000
San Francisco, CA 94104-1513
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

Respectfully submitted,
BY:
Sean D. Solberg, Reg. No. 48,653

Customer Number: 32940

4815-5130-9056 13/7/2006 2:28 PM

Adjustment date: 05/23/2006 SDIRETA1
03/09/2006 BABRAHA1 00000085 10602543 -225.00 OP
01 FC:2252

Repn. Ref: 05/23/2006 SDIRETA1 0012335000
DA#502319 Name/Number:10602546 \$225.00 CR
FC: 9204

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PATENT

Attorney Docket No. A-72343
Dorsey File No. 470425-00018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HENSON et al.

Serial No.: 10/602,543 *Enclosed*

Filing Date: June 23, 2003

For: *Use of Endophytic Fungi to Treat Plants*

Examiner: Irene Marx

Art Unit: 1651

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Alexandria, VA 22313-1450

COPY

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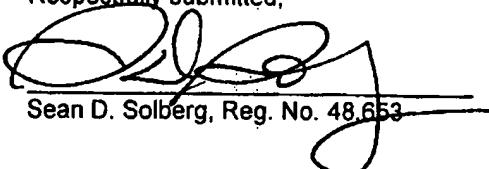
Although the Applicants do not believe any additional fees are required, the Commissioner is authorized to charge any additional fees, including extension fees or other relief, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 470425-00018 ; Docket No. A-72343/RMS/SDS).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Dated March 7, 2006
Dorsey & Whitney LLP
Intellectual Property Department
555 California Street, Suite 1000
San Francisco, CA 94104-1513
Telephone: (415) 781-1989
Facsimile: (415) 398-3249

BY:

Respectfully submitted,


Sean D. Solberg, Reg. No. 48,653

Customer Number: 32940

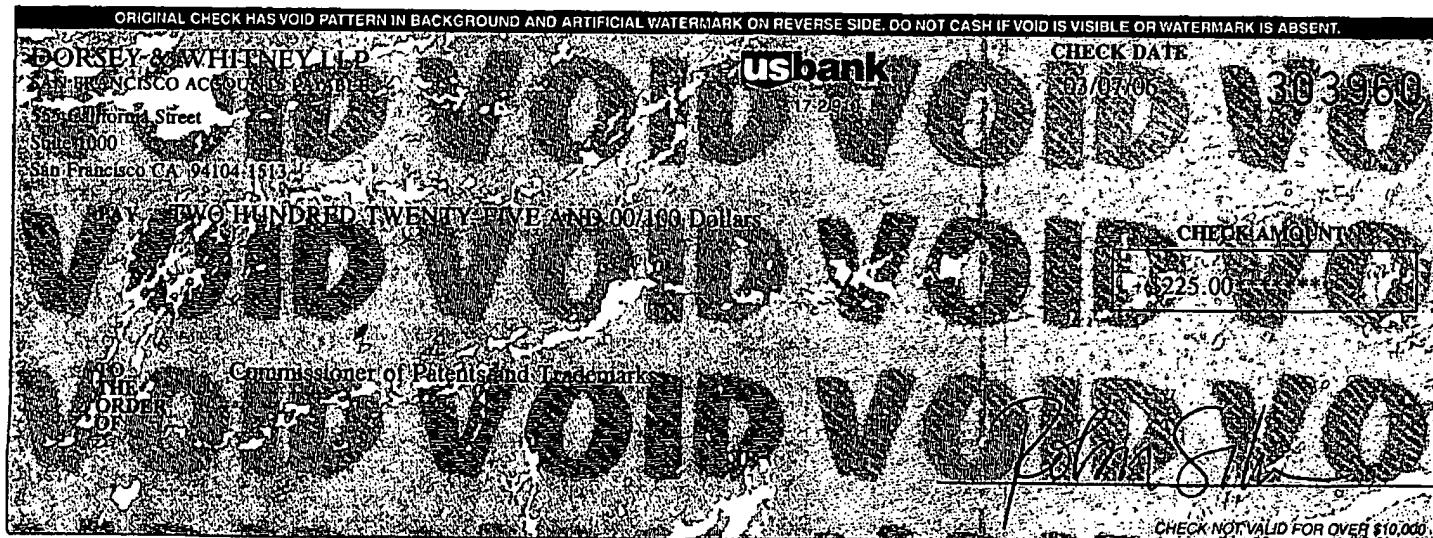
DOOR ID:351963

VENDOR NAME: Commissioner of Patents

CHECK DATE: 03/07/06

303960

INVOICE NO.	INV. DATE	INVOICE DESCRIPTION	AMOUNT PAID
RMS - 34	03-07-06	470425-00018	225.00
CONTROL NO.: 303960			TOTAL \$225.00



"303960" "091000022104757786868"

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